

Serita Rios, SBN# 246568
Law Office of Serita Rios
P.O. Box 688
Fresno, CA 93712-688
Telephone (559) 224-1800
Facsimile (559) 224-1806
serita@seritarioslaw.com

Attorney for Defendant BILLY REO HOWARD

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,)	Case No. 1:22-CR-00240-ADA-BAM
)	
Plaintiff,)	STIPULATION TO EXCLUDE TIME &
vs.)	CONTINUE STATUS CONFERENCE
)	HEARING; ORDER
BILLY REO HOWARD,)	
)	Date: June 14, 2023
Defendant.)	Time: 1:00 p.m.
)	Court: Hon. Barbara A. McAuliffe

This matter is set for status conference on June 14, 2023. As set forth below, the parties now move, by stipulation, to continue the status conference hearing to August 9, 2023.

STIPULATION

Defense Counsel, Serita Rios, and Assistant United States Attorney, Laurel Montoya, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference hearing on June 14, 2023.

STIPULATION TO EXCLUDE TIME & CONTINUE STATUS CONFERENCE HEARING

1 2. Through this stipulation, defendant moves to continue the status
2 conference hearing until August 9, 2023, and to exclude time between June 14, 2023,
3 and August 9, 2023.

4 3. The parties agree and stipulate, and request that the Court find the
5 following:
6

7 a. Counsel for defendant desires additional time to obtain and
8 review discovery, consult with defendant, conduct investigation and to discuss
9 potential resolution with the government.

10 b. Counsel for defendant believes that failure to grant the above-
11 requested continuance would deny them the reasonable time necessary for effective
12 preparation, taking into account the exercise of due diligence.

13 c. The government does not object to the continuance.

14 d. Based on the above-stated findings, the ends of justice served by
15 continuing the case as requested outweigh the interest of the public and the
16 defendant in a trial within the original date prescribed by the Speedy Trial Act.

17 e. For the purpose of computing time under the Speedy Trial Act, 18
18 U.S.C. §3161, et seq., within which trial must commence, the time period of June 14,
19 2023 to August 9, 2023, inclusive, is deemed excludable pursuant to 18
20 U.S.C. §3161(h)(7)(A) because it results from a continuance granted by the Court at
21 defendant's request on the basis of the Court's finding that the ends of justice served
22 by taking such action outweigh the best interest of the public and the defendant in a
23 speedy trial.

24 4. Nothing in this stipulation and order shall preclude a finding that other
25 provisions of the Speedy Trial Act dictate that additional time periods are excludable
26 from the period within which a trial must commence.
27
28

STIPULATION TO EXCLUDE TIME & CONTINUE STATUS CONFERENCE HEARING

/s/ *Serita Rios*

/s/ Laurel Montoya

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

-3-